

# SENATE RECORD VOTE ANALYSIS

106th Congress  
1st Session

Vote No. 141

May 24, 1999, 5:30 p.m.  
Page S-5817 Temp. Record

## DEFENSE AUTHORIZATION/Kosovo War Crimes

**SUBJECT:** National Defense Authorization Act for fiscal year 2000 . . . S. 1059. Specter/Landrieu amendment No. 384.

### ACTION: AMENDMENT AGREED TO, 90-0

**SYNOPSIS:** As reported, S. 1059, the National Defense Authorization Act for fiscal year 2000, will authorize a total of \$288.8 billion, which is \$8.3 billion more than requested by the Clinton Administration and which represents a 2.2-percent real increase in defense spending. Highlights include a 4.8-percent pay raise and a \$3.4 billion increase in military construction.

**The Specter/Landrieu amendment** would express the sense of Congress:

- that the United States, in coordination with other United Nations contributors, should provide sufficient resources for an expeditious and thorough investigation of allegations of the atrocities and war crimes committed in Kosovo, Yugoslavia;
- the United States, through its intelligence services, should provide all possible cooperation in the gathering of evidence of sufficient specificity and credibility to secure the indictment of those responsible for the commission of war crimes, crimes against humanity, and genocide in the former Yugoslavia;
- where evidence warrants, indictments for war crimes, crimes against humanity, and genocide should be issued against suspects regardless of their position within the Serbian leadership of Yugoslavia;
- the United States and all nations have an obligation to honor arrest warrants issued by the International Criminal Tribunal for the former Yugoslavia (ICTY), and the United States should use all appropriate means to apprehend war criminals already under indictment; and
- the North Atlantic Treaty Organization (NATO) should not accept any diplomatic resolution to the conflict in Kosovo that would bar the indictment, apprehension, or prosecution of war criminals for crimes committed during operations in Kosovo.

**Those favoring** the amendment contended:

(See other side)

YEAS (90)				NAYS (0)		NOT VOTING (10)	
Republican (52 or 100%)		Democrats (38 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (3)	Democrats (7)
Abraham	Hatch	Akaka	Johnson			Hutchinson- <sup>2AY</sup>	Biden- <sup>2</sup>
Allard	Helms	Baucus	Kerrey			McCain- <sup>2</sup>	Cleland- <sup>2</sup>
Ashcroft	Hutchison	Bayh	Kerry			Murkowski- <sup>2</sup>	Feingold- <sup>2</sup>
Bennett	Inhofe	Bingaman	Kohl				Kennedy- <sup>2</sup>
Bond	Jeffords	Boxer	Landrieu				Lieberman- <sup>2AY</sup>
Brownback	Kyl	Breaux	Lautenberg				Reed- <sup>2AY</sup>
Bunning	Lott	Bryan	Leahy				Torricelli- <sup>2</sup>
Burns	Lugar	Byrd	Levin				
Campbell	Mack	Conrad	Lincoln				
Chafee	McConnell	Daschle	Mikulski				
Cochran	Nickles	Dodd	Moynihan				
Collins	Roberts	Dorgan	Murray				
Coverdell	Roth	Durbin	Reid				
Craig	Santorum	Edwards	Robb				
Crapo	Sessions	Feinstein	Rockefeller				
DeWine	Shelby	Graham	Sarbanes				
Domenici	Smith, Bob	Harkin	Schumer				
Enzi	Smith, Gordon	Hollings	Wellstone				
Fitzgerald	Snowe	Inouye	Wyden				
Frist	Specter						
Gorton	Stevens						
Gramm	Thomas						
Grams	Thompson						
Grassley	Thurmond						
Gregg	Voinovich						
Hagel	Warner						

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

The polite term for what has been happening in Kosovo is "ethnic cleansing." That ethnic cleansing has involved the forced expulsion of 700,000 people from Kosovo, the detention of men and boys of military age (reports from refugees indicate that as many as 100,000 may have been detained, and it is unknown if they are still alive), summary executions in at least 70 towns and villages, numerous rapes (including reports of systematic and organized mass rapes in Djakovica and Pec), burning of villages and looting, and the destruction of identity documents and official civil registries. The bulk of the violent, cruel crimes are being committed by paramilitary forces such as the "White Eagles" and the "Tigers." Those forces are not under the control of the Serbian regular forces, but they are under the control of Serbia's dictator, Milosevic.

We have offered this amendment because we believe that the people who are responsible for these crimes against humanity should not be allowed to escape justice. This amendment expresses the sense of Congress that the United States and other nations should provide any funds or other assistance that the ICTY needs to investigate, arrest, and prosecute war criminals in Kosovo. Just as importantly, it expresses the sense of Congress that NATO should not agree to any diplomatic resolution of the current conflict that would protect Kosovo war criminals from being brought to justice. We add that if, in the end, a diplomatic resolution is negotiated by the United Nations or some other group, that resolution also should not provide any protection for war criminals. The settlement in Bosnia did not protect war criminals, so we are certain that it is possible to reach a similar agreement for Kosovo. We urge our colleagues to support this amendment.

**No arguments were expressed in opposition to the amendment.**